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Senate

LEGISLATIVE SESSION

The Senate met at 3 p.m. and was called to order by the President pro tempore (Mrs. MURRAY).

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.
O Lord, our God, we come in thankfulness because You have loved us through the seasons of our lives. We find peace in the knowledge that You know and accept us.

Lord, thank You for enabling us to run and not be weary, to walk and not faint. Continue to keep us in Your care.

Bless our Senators. Surround them with the shield of Your love. When they feel discouraged, increase their faith. Give them wisdom and courage to live each day as Your children.

We pray for those dealing with the deadly aftermath of the Mississippi tornado. We pray also for the victims of the Nashville school shooting.

We pray in Your merciful Name. Amen.

PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

RESERVATION OF LEADER TIME

The PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

CONCLUSION OF MORNING BUSINESS

The PRESIDENT pro tempore. Morning business is closed.

REPEALING THE AUTHORIZATIONS FOR USE OF MILITARY FORCE AGAINST IRAQ—Resumed

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of S. 316, which the clerk will report.

The legislative clerk read as follows: A bill (S. 316), to repeal the authorizations of use of military force against Iraq.

Pending:
Schumer amendment No. 15, to add an effective date.

The PRESIDENT pro tempore. The majority whip is recognized.

COVENANT SCHOOL SHOOTING

Mr. DURBIN. Madam President, today, yet another American community is in shock and grief after yet another American mass shooting. This morning, a shooter entered the Covenant School in Nashville, TN, reportedly armed with two assault rifles and a handgun.

This is an elementary school for students in preschool through the sixth grade. The children are as young as 3 and 4 years old.

Upon entering the school, the shooter opened fire, killing at least three staff members and three students.

I cannot begin to imagine what the families and school community are feeling at this moment. We send our prayers and condolences, and we are certainly grateful to the first responders who were dispatched to the school within minutes and ran toward the sound of gunfire.

But, once again, thoughts and prayers are not enough. These mass shootings, especially targeting little children, are happening with sickening regularity in this Nation. This could be the 129th mass shooting since this year, 2023, began—129 mass shootings in America, and we are fewer than 90 days into this calendar year. That is more than one mass shooting a day.

What is a mass shooting? Four victims either shot or killed in an incident.

Last year, Congress took some important steps on gun safety reform with the Bipartisan Safer Communities Act and the Violence Against Women Act reauthorization. The Judiciary Committee that I serve on has done a lot of work on those measures, and I am happy to support both of them.

But as today's shooting in Nashville, TN, demonstrates, there is more work to be done. The fact that this is a daily occurrence in America is unconscionable.

We are going to learn more details in the hours and days ahead about what actually happened in Nashville, but we already know what must be done to keep our children and communities safe from deadly shootings. I strongly—strongly—support bills that ban assault weapons from civilian use and close gaps in our background check system.

I cannot imagine the Founding Fathers would even envision what we are allowing today in the name of words that they wrote in the Second Amendment to the Bill of Rights. To think that these weapons—the one that was used in Highland Park, in my home State of Illinois, on the Fourth of July, last year—the man discharged 83 rounds in 60 seconds. Tell me that the Founding Fathers had that in mind when they wrote the Second Amendment. I don't believe it.

Today, the early reports are that assault weapons may be involved again. We will wait until we see the actual facts coming in, but it would be no great surprise if that is the case. It would be a grave disappointment.

I urge my colleagues to come together on a bipartisan basis. We can't say that we have solved this problem or even addressed it seriously when the incidents like the one that happened today in Nashville, TN, continue in America.

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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S943

We need to pass more reforms to keep guns out of dangerous hands and keep our children safe.

S. 316

Madam President, it is good to be back. I was gone last week, fighting off my second round of COVID. It was not serious, thank goodness. I had good medical care, and my wife had to show a great deal of patience with my sticking around the house for too many days. But I am glad to be back, and I want to say a word about the issue that is pending on the floor of the Senate because it has meant a lot to me throughout my congressional career.

It was just over 20 years ago, in this Chamber, that Congress voted to authorize the use of military force against Iraq. I remember that vote as clearly as if it were yesterday.

It was a little more than a year after the vicious terrorist attacks of 9/11. Our Nation still felt deeply about what had happened to 3,000 innocent Americans.

All evidence pointed to Afghanistan-based al-Qaida as the culprit in that horrific 9/11 attack. Yet, within days of 9/11, some in Washington decided to beat a different drum, not against al-Qaida or Afghanistan but against Iraq's dictator Saddam Hussein.

Then-Vice President Cheney warned repeatedly that Hussein was actively pursuing "weapons of mass destruction," including nuclear weapons. The Vice President was adamant. He said there was "no doubt"—his words, "no doubt"—that Hussein was amassing them to use against the United States.

Former Pentagon adviser Richard Perle argued preposterously that Iraqis could finance their nation's postwar rebuilding from its oil wealth and said he had "no doubt that they will."

And then-President George W. Bush, who claimed war was his last choice, provocatively tried to link al-Qaida with Saddam Hussein, a dubious claim that was naturally echoed by then-Secretary of Defense Donald Rumsfeld.

Rumsfeld even tried to claim the war in Iraq would last—listen to this—"five days or five weeks or five months, but it certainly isn't going to last any longer than that." So said the Secretary of Defense, Donald Rumsfeld.

Then-Deputy Secretary of Defense Paul Wolfowitz and Vice President Cheney insisted that Iraqis would be welcoming the U.S. military as "liberators."

When asked about reports that a war with Iraq would require hundreds of thousands of troops, Wolfowitz casually dismissed the warning as "way off the mark."

The American people were summarily deceived and misled by the political leaders in Washington.

Then came the war. It didn't last weeks, as we were promised. It lasted for most of the next decade.

More than 150,000 American troops have served in Iraq. No nuclear weapons or other weapons of mass destruction were ever found. We were never

greeted as liberators. The Iraqi oil didn't pay for the damage of the \$2 trillion cost of the war. American taxpayers paid for it.

More than 4,500 U.S. servicemembers died in that conflict in Iraq. Another 32,000 were wounded, many of them grievously.

My colleague in the Senate, TAMMY DUCKWORTH, is one of those who was seriously injured. It is what brought her to my attention when I invited her to listen to a State of the Union Address. Her heroism brought her to my attention politically. I am honored that she is still serving here in the Senate.

Countless Iraqi civilians lost their lives in the ensuing civil war that erupted after Saddam Hussein was toppled.

I had voted, 1 year before the beginning of the Iraq war, to support the use of military force in Afghanistan. It made sense. They generated al-Qaida, al-Qaida generated 9/11, and it was time for us to answer. That is where those who masterminded the 9/11 attacks were located.

But I was never convinced that our sons and daughters should be sent to war in Iraq. That is why I was one of 23 Senators—1 Republican and 22 Democrats—who voted against the 2002 Iraq authorization for use of military force, known as the AUMF.

History has shown that my concern and misgivings, along with my colleagues—23 of us—were tragically correct. I doubt few here in Washington, at the time, could have imagined this AUMF would still be referred to and referenced for U.S. military action over 20 years later.

Even more incredibly, the 1991 Gulf war AUMF that was supposed to expel Iraq from Kuwait is still in effect more than 30 years later. To allow such resolutions to remain in effect decades after the wars they authorized is more than just a clerical oversight; it is a threat to our national security. It is an open-ended invitation for conflict. That is why today's action of repealing these two AUMFs is long overdue.

I want to thank my colleagues, on a bipartisan basis, Senator TIM KAINE of Virginia and Senator TODD YOUNG of Indiana, for leading the effort. I am honored to cosponsor it.

In the end, the debate before us isn't about whether Iraq posed a threat to Kuwait in 1991 or to the United States in 2001. It is not even about the ultimate merits of those conflicts. This long overdue debate on the Senate floor this week is, instead, about Congress's responsibility when it comes to war and about the use of open-ended authorizations to send military forces. Our Constitution is clear on this question and on many others too. Article I, section 8 says: The power to declare war is an explicit power of the Congress.

The Founding Fathers got that right as far as I am concerned. We should never send our sons and daughters or anyone's sons and daughters into war

without the consent of the American people through Congress. Our Founding Fathers were wise in making sure this awesome power of declaring war didn't rest in the hands of a Monarch or even in a President by himself but with the people's elected Representatives. I have made this same argument in the House and the Senate regardless of who was President, a Democrat or a Republican—whether it was President Bush in Iraq or President Obama in Syria or in Libya.

We should not leave these Iraq AUMFs or any authorizations like them in force in perpetuity. Doing so allows too much room for unforeseen consequences and too great of a chance that the authorizations will be stretched beyond their original intent. It makes the possibility of going to war just too easy. It creates a dangerous disconnect between the people's elected representatives and one of the most solemn decisions of democratic self-government. If some AUMFs, like the one used to respond to the al-Qaida attack on the United States, which I supported, need updating, we also need to meet that responsibility here in Congress.

Let me be clear. Nothing we are doing here prevents an American President from acting in self-defense or in the face of imminent threats to our American Nation. Repealing these AUMFs doesn't preclude Congress from debating and possibly passing another AUMF to address future threats, but repealing these outdated authorizations for the use of force will help make sure that such AUMFs are not used for other possible wars without their having explicit congressional approval. Repealing these AUMFs will close open-ended war authorizations that should be revisited and debated by Congress as required by the Constitution.

I strongly support the legislation before us to repeal these authorizations and to ensure that future AUMFs are not allowed to remain in place. I plan on reintroducing my legislation that sunsets any AUMF after 10 years. If the continued use of military force is justified beyond a decade, Congress should do it expressly by vote and debate so that the American people can be witness to this decision and part of it. We should no longer abdicate our responsibility by relying on a resolution that has long since served its intended purpose.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. SCHUMER. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Ms. DUCKWORTH). Without objection, it is so ordered.

RECOGNITION OF THE MAJORITY LEADER

The majority leader is recognized.

COVENANT SCHOOL SHOOTING

Mr. SCHUMER. Madam President, we are just learning of the horrific, truly heartbreaking shooting at a school in Nashville earlier today—six people, three children.

I still have the pictures of the kids at Sandy Hook—the little children there who were shot dead—in mind.

Well, six people, including three children, were shot and killed in their own school. Six people, three children, won't be coming home today to their families, to their friends, to their lives.

We are holding in our hearts the families of the loved ones, of those affected by this horrible tragedy, and thank the first responders who were on the scene.

ISRAEL

Madam President, now on Israel, I welcome the news that the judicial legislation proposed by Israeli Prime Minister Netanyahu and his government have been suspended. The bond between the United States and Israel is rooted in our shared democratic values and fealty to the rule of law. When I was in Israel 4 weeks ago, I shared that message directly with the Prime Minister.

I echo the call of President Herzog to find a compromise. It is a good step that the legislation is put on hold, and I strongly urge Israeli leaders, I urge Prime Minister Netanyahu: Come to a compromise before pushing forward again.

Isaac “Bougie” Herzog has the trust of all parties and is the right person to come up with the compromise. I urge both sides to work with him. At a time when Israel faces real dangers, particularly from Iran, the last thing Israel needs is divisiveness at home. Let us hope they can come to a compromise.

AUTHORIZATIONS FOR USE OF MILITARY FORCE

Madam President, on AUMF, this afternoon, the Senate will vote on cloture on AUMF repeal, bringing us one step closer to finally repealing the 1991 and 2002 Iraq AUMFs. Once cloture is invoked this afternoon, we will hold a few more votes on additional Republican amendments. Senators should then expect to vote on final passage of the Iraq AUMF repeal as soon as tomorrow.

Repealing the Iraq AUMFs has been a good and reasonable process here on the floor. We had a strong bipartisan vote on cloture last week. We are allowing Republican amendments. Most importantly, we aren't being dilatory because this is something a majority of Senators want to get done.

I hope this can be a method, a pattern of what we do in the future. We are willing to allow amendments, but we must move forward and cannot be dilatory and cannot have amendments so extraneous that they just bog down the whole process. What happened on this AUMF bill is a good model for us for the future to get things done with bipartisan cooperation.

On this bill, I want to thank Senators Kaine and Young, the chairman and the ranking member of the Senate Foreign Relations Committee, and all the

cosponsors of this legislation for their work on this measure.

MILITARY NOMINATIONS

Madam President, now on the hold on senior military nominations, defense readiness is impossible without military commanders in place to execute our national defense strategy. Senators have regularly worked together to confirm routine military nominees quickly, ensuring no lapses in the work of our military. But right now, 160 military promotions—160—these are not political. These are men and women who have worked their way up through the ranks and deserve a promotion to general, to colonel, et cetera. But 160, including five three-star generals, are on hold because the senior Senator from Alabama is holding them up because he can't get his way on blocking 160,000 women within the military from receiving healthcare.

Blocking military choices is unprecedented—unprecedented, hasn't happened before—and it could weaken our national security. And the number of those who are blocked is going to grow even larger as new nominees are reported out of the committee, which they do regularly.

Among the general and flag officers on hold by the Senator from Alabama include commanders for U.S. naval forces in the Pacific, the Middle East, and the U.S. military representative to the NATO Military Committee—something really important at a time when war rages in Ukraine. The commanders of the 5th and 7th Fleets are the commanders of U.S. naval forces confronting the likes of Iran and China. They are being held up singlehandedly by the Senator from Alabama.

It shouldn't have to be said, but the Senator from Alabama's hold on hundreds of routine military promotions is reckless. It damages the readiness of our military and puts American security in jeopardy.

Now, look, all of us feel very strongly, passionately, at times about certain political issues, certainly as strongly as the Senator of Alabama feels about this one, but if every single one of us objected to the promotion of military personnel whenever we feel passionately or strongly about an issue, our military would simply grind to a halt.

The Senator from Alabama's actions risk permanently politicizing the confirmation of military personnel for the first time ever, and that would cause immense damage to the military's ability to lead and protect us. I can't think of a worse time for a MAGA Republican to pull a stunt like this, as threats against American security and against democracy are growing all around the world.

I urge Members of his own party to prevail on the Senator from Alabama to stand down in this unprecedented and dangerous move and allow these critical, nonpolitical, nonpartisan military nominees to go through.

MEDICAID AND THE BUDGET

Madam President, on Medicaid and the budget, today, the Governor of

North Carolina is signing legislation to expand Medicaid eligibility following the passage of a bipartisan compromise through the North Carolina General Assembly last week. Once signed, as many as 600,000 North Carolinians will soon enjoy healthcare coverage previously denied to them.

House Republicans should follow the example of their State-level counterparts and work with Democrats to expand services like Medicaid, not cut them. They should join Democrats to strengthen healthcare for all Americans, not threaten extreme cuts like the House GOP has been doing for months.

In the American Rescue Plan, Democrats passed a major new incentive to get holdout States to expand Medicaid to cover their low-income citizens. We should build on this work.

Now, House Republicans have bent over backwards claiming Social Security and Medicare are off the table, but what are their plans for Medicaid? Republicans have been disturbingly evasive about whether or not they want to cut Medicaid, and so Americans, unfortunately, remain in the dark.

If a moderate State like North Carolina is expanding Medicaid with bipartisan support, what the heck are MAGA Republicans doing threatening to cut it? It shows how difficult it will be for House Republicans to put together a plan that gets 218 votes.

So we repeat: Leader MCCARTHY, today is March 27. It is nearly 3 months. Where is your plan? Is Medicaid on the GOP chopping block? Are the MAGA Republicans pulling the Republican Party here in the House further to the right even as North Carolina, a moderate State, in a bipartisan way passes legislation to expand Medicaid? Will tens of millions of Americans find out that their benefits will be curtailed or eliminated?

Let me say again, instead of obsession about ideological spending cuts that harm millions of people, Republicans should work with Democrats to strengthen vital healthcare services. We should do that while also agreeing to lift the debt ceiling together, without brinksmanship or blackmail or hostage-taking.

STUDENT DEBT

Madam President, on student debt, this morning, House Republicans introduced legislation to overturn President Biden's historic student loan debt relief program, denying millions of Americans the critical student debt relief they need.

It is hard to believe that, at a time when millions of Americans are struggling with student debt, Republicans are showing how callous and uncaring they are by trying to block debt relief that will literally transform the lives of so many for the better.

Republicans have tried to paint President Biden's plan as a tuition bailout and a giveaway to high earners. A giveaway to high earners? Republicans ignore the facts.

Under President Biden's plan, 90 percent—nearly 90 percent of relief dollars would go to out-of-school borrowers making less than \$75,000 a year. This is a party that cuts taxes on the very wealthy but then says that this is a bailout and a giveaway to high earners, when 90 percent of the people who get it—nearly 90 percent—make less than \$75,000 a year? Who are they kidding? What hypocrisy.

Under President Biden's plan, no one in the top 5 percent of incomes will receive a penny in debt relief, even though Republicans were happy to give them huge tax breaks a few years back and still want to do that.

Rather than help the privileged few, President Biden's plan would benefit Americans who need it most: students of color, poor Americans, children of immigrants, working and middle-class families. These are the people who would suffer from the Republicans' terrible proposal.

H.R. 1

Madam President, on H.R. 1—I have a lot to talk about today—Republicans recently rolled out their partisan, unserious, so-called energy package they dubbed “H.R. 1.” Let's call H.R. 1 what it is: a wish list for Big Oil masquerading as an energy package.

Republicans' so-called energy package would gut important environmental safeguards on fossil fuel projects. It would lock Americans into expensive, erratic, and dirty energy sources. It omits long-overdue reforms for accelerating the construction of transmission.

A serious package would help America transition to clean, affordable energy, not set us decades back like the Republican proposal. A serious energy package would include transmission to help bring clean energy projects online, not leave it untouched—untouched—even though everyone agrees transmission is needed, but the Republican proposal doesn't mention it.

So let me make it again very clear. House Republicans' so-called energy bill is dead on arrival in the U.S. Senate. We will work in good faith on real permitting reform talks—bipartisan, bicameral—but this proposal is a non-starter.

VLADIMIR PUTIN

Madam President, finally, on the GOP embrace—the embrace of some—of Putin, yesterday, reports came out that Vladimir Putin announced Moscow would deploy tactical nuclear weapons in Belarus as well as position nuclear-armed Iskander hypersonic missiles within Belarus, with a range of 300 miles.

In the past, Putin's conduct over the last year would have won swift and unequivocal condemnation from both parties, but today, an increasingly vocal minority within the hard right is more comfortable defending and excusing Putin rather than condemning him. One Republican Governor from a Southern State even referred to the Ukraine war as “a territorial dispute.”

I have to wonder what he would have said if he were around in the 1930s. We know what happened then when many refused to stand up to aggression. A world war resulted.

This isn't hard. Vladimir Putin is a threat to American national security and democracy, and MAGA Republicans who fail to condemn him are only empowering him in the long run.

The PRESIDING OFFICER. The majority leader.

FIRE GRANTS AND SAFETY ACT

Mr. SCHUMER. Madam President, I move to proceed to Calendar No. 28, S. 870.

The PRESIDING OFFICER. The clerk will report the bill by title.

The bill clerk read as follows:

A bill (S. 870) to amend the Federal Fire Prevention and Control Act of 1974 to authorize appropriations for the United States Fire Administration and firefighter assistance grant programs.

CLOTURE MOTION

Mr. SCHUMER. I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The bill clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the motion to proceed to Calendar No. 28, S. 870, a bill to amend the Federal Fire Prevention and Control Act of 1974 to authorize appropriations for the United States Fire Administration and firefighter assistance grant programs.

Charles E. Schumer, Gary C. Peters, Christopher Murphy, Catherine Cortez Masto, Tina Smith, Jack Reed, Brian Schatz, Jeanne Shaheen, Jeff Merkley, Sheldon Whitehouse, Patty Murray, Mazie Hirono, Cory A. Booker, Benjamin L. Cardin, Chris Van Hollen, Margaret Wood Hassan, Alex Padilla.

Mr. SCHUMER. I ask unanimous consent that the mandatory quorum call for the cloture motion filed today, March 27, be waived.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SCHUMER. Madam President, just to inform the Members, I am moving to file cloture on this bill, which would make sure that both the SAFER grants and the AFG grants, which protect and help our paid and volunteer firefighters, continue. It expires in a few months if we do nothing.

Our firefighters, both paid and volunteer, are brave; they risk their lives for us; they run to danger, not away from it; and they need both equipment and personnel so that they can continue to do their jobs, particularly in smaller, more rural, and more suburban areas where there is not the tax base to support the stuff that they need. So I hope we can move forward quickly on this legislation.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk called the roll.

Mr. CORNYN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

S. 316

Mr. CORNYN. Madam President, this week, the Senate is expected to vote on legislation that would repeal the authorization for use of military force in Iraq.

The bill before the Senate would repeal two separate authorizations—one from 1991, which authorized U.S. intervention in Iraq, better known as the Gulf war, to stop the dictator, Saddam Hussein, from invading and terrorizing Kuwait. The second one passed in 2002 in response to Saddam's persistent violations of the peace agreement that came out of the Gulf war, including intelligence that he was pursuing weapons of mass destruction.

In the decades since these authorizations passed, America's relationship with Iraq has changed dramatically. Iraq has gone from a hostile and unpredictable authoritarian government to become a strategic partner with the United States. In recent years, our countries have worked together to end the occupation of ISIS in Iraq.

In December of 2017, Iraq declared victory, though we have seen a resurgence of some of those terrorists recently. Two years ago, President Biden welcomed the Iraqi Prime Minister to the White House, a friendship that would have been unimaginable 20 or 30 years ago.

Put simply, Iraq is a key partner in the Middle East. Our governments and militaries cooperate to promote security and prosperity for the Iraqi people. More broadly, we work together to counter Iran's malign influence and continue to root out terrorism in the Middle East.

While there is still an American military presence in Iraq, it looks dramatically different today than it did 10, 20, or 30 years ago. Today, our soldiers serve solely in an advise and assist role. They are there at the invitation of the Iraqi Government to support Iraqi troops and military leaders as they defend their own security interests.

In short, American forces are no longer there to counter threats from Iraq. We are now there to counter threats to Iraq. That includes threats from Iran, the No. 1 state sponsor of international terrorism, with its hired henchmen, terrorist groups, or other adversaries that could disrupt peace and stability in Iraq.

Those who support repealing the Iraqi military authorizations point to this evolution in our relationship as evidence that the AUMFs are no longer needed. It has been 20 years since the U.S. invasion of Iraq, and they say the